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SUBJECT: TIBET: TAR JUSTICE SERVES THE PARTY, SOCIALISM, AND UNITY

REF: CHENGDU 251

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¶1. (U) This message contains sensitive but unclassified information. Not for Internet distribution.

¶2. (SBU) Summary: The Deputy Director of the Tibetan Autonomous Region (TAR) Justice Bureau recently outlined to Consul General the TAR prison system, reeducation-through-labor system, and civil dispute mediation services, including legal advice provided free of charge to the poor. Visits to TAR prisons are possible when cleared through proper channels. Among the 3000 prisoners in the TAR, there are about 30 monks and nuns; before March 14, 2008 there were no monks or nuns in the prisons. Eighty-four prisoners involved in the "March 14 Incident" are now serving prison terms. The TAR Justice Bureau conducts civic education in schools, monasteries, government offices, and rural communities to build the rule of law and protect social stability. The three main goals of the Justice Bureau are to support the Communist Party, support socialism, and support ethnic regional autonomy. The Deputy Director refused to accept a list of representative political prisoners that CG tried to present at the end of the meeting. End Summary.

¶3. (SBU) Reading from a prepared text, TAR Justice Bureau Deputy Director He Ping began by outlining the organization of the TAR Justice Bureau. The TAR Justice Bureau manages prisons, labor-education camps, and the National Judicial Examination. The Justice Department also provides legal aid, educates criminals, and conducts many educational activities. The Justice Bureau has about 1000 police cadres, 60 percent of whom are ethnic Tibetans and 31 percent of whom are women.

¶4. (SBU) Deputy Director He Ping continued that there are five prisons in the TAR: TAR Prison, Lhasa Prison, Chushul Prison, Pome Prison, and the TAR Reformatory. The government provides adequate food, clothes and accommodations for all prisoners, and makes sure that they are able to get enough sleep. The monthly ration for prisoners includes 20 kg of grain, 5 kg of meat, and 15 kg of vegetables. Prisoners also receive tea, butter, and special food appropriate for their ethnic group. Feeding one prisoner costs about 300 RMB per month. The prisoners also take regular showers and medical check-ups. In 2002, the Justice Bureau established its own well-equipped hospitals to care for prisoners. If prisoners need medical care that the Justice Bureau Hospital cannot provide, then the Justice Bureau allows the prisoner to travel to other places under the supervisor of a family member who also serves as a guarantor of their return.

15. (SBU) The TAR currently holds 3000 prisoners including 20 - 30 monks and nuns. Before March 14, 2008, there were no monks and nuns held in the TAR prison system. Currently, 84 people are serving prison sentences for their involvement in the "March 14 Incident."

Re-Education Through Labor

16. (SBU) Deputy Director He said that the Justice Bureau also is in charge of the detention of people under China's re-education through labor system (laodong jiaoyang zhidu), which was established by the National People's Congress in 1957. This system is well suited to China's national conditions, he said. [Note: Reeducation through labor (laogai/laojiao) enables Public Security to sentence a person to detention for up to two years without appeal, judicial review, or oversight. In 2009, the Chinese Ambassador to UN/Geneva revealed that the PRC had 320 such administrative detention centers with 190,000 prisoners (URL tinyurl.com/unhr-rev-china-2009). Flora Sapiro, an Italian China law expert, has much information about China's reform through labor system on her blog "Forgotten Archipelagos" at URL florasapiro.blogspot.com. End Note]

Providing Legal Education, Mediating Civil Disputes, Regulating Lawyers

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17. (SBU) Deputy Director He continued, saying that the TAR Justice Bureau has been disseminating information about the legal system among the TAR citizenry since the 1980s. People must defend the unity of the motherland and fight separatists. The TAR Justice Bureau conducts legal education at schools, monasteries, government offices, and rural communities in order to build a society that ruled by law and in which social stability is protected. The Justice Bureau supports three things: the Chinese Communist Party; socialism; and regional ethnic autonomy. The Justice Bureau opposes three things: separatism, acts against property, and violence against persons.

18. (SBU) The Justice Bureau also mediates civil disputes. Civil mediators (renmin diaojieyuan) work in many rural areas. The TAR Lawyers Association is "managed" by the Justice Bureau. The Justice Bureau registers lawyers and law firms, and gives guidance to lawyers on how to do their work. Everyone, including poor people in the TAR, can get legal assistance through the Justice Bureau. There are legal assistance officers at the county, prefectural, and regional levels in the TAR. So far, there are no non-governmental lawyers who specialize in reporting environmental protection issues to the TAR government. Both public and private lawyers in the TAR provide legal assistance.

TAR Prisons Open to International Visitors,
But Get Permission from the Foreign Ministry

¶9. (SBU) In response to CG's question, Deputy Director He responded that TAR prisoners are open to international visitors. First, visitors inform the Ministry of Foreign Affairs in Beijing. Then, MOFA will ask the Ministry of Justice, which in turn asks the TAR Justice Bureau for assistance. Deputy Director He said that he had visited prisons in Australia, New Zealand, and in the Republic of Korea.

Justice Official Refuses CG's List of Political Prisoners

¶10. (SBU) Chengdu CG, at the close of the meeting, tried to present a list of representative political prisoners to Deputy Director He Ping, as he had to TAR Vice Governor Wu (reftel). Deputy Director He refused to accept the list, saying that such a document could come only through "proper diplomatic channels."

A TAR Foreign Affairs Office handler accepted the list after the meeting after the Consul General explained that this list is the same list as that provided to Governor Wu except but with more detailed information on the political prisoners:

Representative Prisoners of Conscience in the TAR

¶11. (SBU) BEGIN LIST

Jigme Gyatso (Jinmei Jiacuo) (Detained 1996)

Jinmei Jiacuo, a former monk who operated a restaurant in Lhasa, was detained in March 1996 and sentenced on November 23, 1996. He is imprisoned in Qushui Prison where he is serving an 18-year extended sentence for printing leaflets, distributing posters, and later shouting pro-Dalai Lama slogans in prison. His sentence will be complete in March 2014. Unofficial sources have reported that he has suffered from jaundice, has difficulty walking and bending, and was hospitalized for several weeks in

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¶2006.

Bangri Chogtrul, or Jigme Tenzin (Jinmei Danzeng) (Detained 1999)

Jinmei Danzeng, a lama who lived as a householder, was detained in August 1999 and convicted of inciting splittism and sentenced to life imprisonment on September 26, 2000. He and his wife managed a children's home in Lhasa. The Lhasa Intermediate People's Court commuted his sentence from life imprisonment to a fixed term of 19 years in July 2003, and then reduced his sentence by one year in November 2005. He is serving his sentence, which will be complete in July 2021, in Qushui Prison. He suffers from heart disease and gallstones.

Choeying Khedrub (Quyin Kezhu) (Detained 2000)

Quyin Kezhu, a monk living in Suo (Sog) county in Naqu (Nagchu) prefecture, was detained in March 2000 and sentenced to life imprisonment for endangering state security on November 10, 2000. He and several other men set up a political group that printed and distributed leaflets. He is serving his sentence in Qushui Prison.

Drolma Kyab (Zhuomajia) (Detained 2005)

Zhuomajia, a school teacher in Lhasa, reportedly was detained in March 2005 for drafting a Chinese-language commentary that addressed topics including Tibetan sovereignty, democracy, religion, and the Tibetan experience under communism. A second draft addressed topics such as the location of Chinese military bases in Tibetan areas. The Lhasa Intermediate People's Court sentenced him on September 16, 2005, to 10 years and 6 months in prison for espionage and illegally crossing the border. He is serving his sentence in Qushui Prison.

Sonam Gyalpo (Suolang Jiebu) (Detained 2005)

Suolang Jiebu, a tailor in Lhasa, was one of several Tibetans detained in August 2005, shortly before the 40th anniversary of the establishment of the Tibet Autonomous Region on September 1, 1965. State security officials searched his Lhasa home and found photos and videotapes of the Dalai Lama and printed matter. The Lhasa Intermediate People's Court sentenced him on June 9, 2006, to 12 years' imprisonment for espionage. He is serving his sentence in Qushui Prison. He previously served a three-year sentence for putting up political posters in September 1987.

Lodroe (Luozhui) (Detained March 2008)

Luozhui, a monk from Shiqu (Sershul) county, Ganzi (Kardze) Tibetan Autonomous Prefecture, Sichuan province, who was studying temporarily at Sera Monastery in Lhasa, joined other monks visiting Sera to stage a political protest in Lhasa's Barkor street on March 10, 2008. China Tibet News reported that Lodroe held up a Tibetan national flag during the protest and described the other monks as Luozhui's "followers." According to an unofficial August 2009 report, in April 2009 a Lhasa court sentenced Luozhui to 10 years' imprisonment and he is serving his sentence in Qushui Prison.

Lobsang Ngodrub (Luosang Ouzhu) (Detained March 2008)

Luosang Ouzhu, a monk from Shiqu (Sershul) county, Ganzi (Kardze) Tibetan Autonomous Prefecture, Sichuan province, who was studying temporarily at Sera Monastery in Lhasa, joined other monks visiting Sera to stage a political protest in Lhasa's Barkor street on March 10, 2008. China Tibet News reported that on March 24, 2008, 13 of the monks were formally arrested on charges of "unlawful assembly." According to an unofficial August 2009 report, Luosang Ouzhu was sentenced to five years' imprisonment and is serving his sentence in Qushui Prison.

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Wangdu (Wangdui) (Detained March 2008)

Wangdui, an HIV/AIDS activist, was detained on March 14, 2008, the day protests and rioting erupted in Lhasa. On October 27 the Lhasa Intermediate People's Court sentenced Wangdui to life imprisonment for "espionage," claiming that he established a group including three other men to distribute material to incite a "Tibetan people's uprising" and to collect "intelligence" that touched on "the security and interests of the nation." Wangdui previously served eight years in prison after detention on March 8, 1989, the day martial law took effect in Lhasa after three days of protest and rioting. Prior to the 1989 detention Wangdui was a monk at Lhasa's Jokhang Temple.

Yeshe Choedron (Yixi Quzhen) (Detained March 2008)

Yixi Quzhen, a retired medical doctor, was detained in Lhasa in March 2008 following protests that began on March 10 and rioting on March 14. On November 7, 2008, the Lhasa Intermediate People's Court sentenced Yixi Quzhen to 15 years' imprisonment for "espionage," claiming that she received "financial aid" from "the Dalai Clique's 'Security Department'" for providing "intelligence and information harmful to the security and interests of the state." According to an October 2009 report, she is serving her sentence in a prison near Lhasa and has not been permitted any family visits.

Tenzin Buchung (Danzeng Puqiong) (Detained March 2008)

Danzeng Puqiong, a Langthang Monastery monk studying at Samye Monastery, joined a group of Samye monks and "hundreds" of other Tibetans in a peaceful protest near government offices in Samye township, located in Zhanang (Dranang) county, Shannan (Lhoka) prefecture, Tibet Autonomous Region. The protesters shouted slogans calling for the Dalai Lama's return to Tibet and respect for human rights. Public security officials detained an unknown number of persons, including at least five monks. In May or June 2008, the Shannan Intermediate People's Court sentenced Danzeng Puqiong to 15 years in prison.

END LIST
BROWN